

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

MICHAEL R. THOMAS,)	
)	
PETITIONER/DEFENDANT)	
)	CRIMINAL NO. 2:11-CR-47-DBH
v.)	CIVIL No. 2:15-CR07-DBH
)	
UNITED STATES OF AMERICA,)	
)	
RESPONDENT)	

**ORDER AFFIRMING RECOMMENDED DECISION
OF THE MAGISTRATE JUDGE**

On September 30, 2015, the United States Magistrate Judge filed with the court, with copies to the parties, his Recommended Decision on 28 U.S.C. § 2255 Motion. The time within which to file objections expired on October 19, 2015, and no objection has been filed. The Magistrate Judge notified the parties that failure to object would waive their right to *de novo* review and appeal.

It is therefore **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED**. An evidentiary hearing is not warranted under Rule 8 of the Rules Governing Section 2255 Cases, and the petitioner's motion for habeas relief under 28 U.S.C. § 2255 is **DENIED**. I also **DENY** a certificate of appealability under Rule 11 of the Rules Governing Section 2255 Cases because there is no substantial showing of the denial of a constitutional right within the meaning of 28 U.S.C. § 2253(c)(2).

So ORDERED.

DATED THIS 2ND DAY OF NOVEMBER, 2015

/s/D. BROCK HORNBY

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**U.S. DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CRIMINAL DOCKET NO. 2:11-CR-47-DBH**

United States of America

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v.

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